

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JOHN GRAY,)	
)	
Petitioner,)	
)	
v.)	Civil No. 1:12-CV-00373-NT
)	
PATRICIA BARNHART,)	
)	
Respondent.)	

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on April 4, 2013 her Recommended Decision. The Plaintiff filed his objection to the Recommended Decision on April 23, 2013. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record. I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Petitioner's 28 U.S.C. § 2254 Petition (ECF No. 1) be and hereby is DISMISSED WITH PREJUDICE as time-barred, and relief is DENIED.
3. It is further ORDERED that no certificate of appealability should

issue in the event the Plaintiff files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

SO ORDERED.

/s/ Nancy Torresen
NANCY TORRESEN
UNITED STATES DISTRICT JUDGE

Dated this 6th day of May, 2013.

Petitioner

JOHN GRAY

represented by **JOHN GRAY**
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DOWNEAST CORRECTIONAL
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V.

Respondent

PATRICIA BARNHART

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V.

Notice Only Party

**MAINE ATTORNEY
GENERAL - HABEAS CASES**